

**Idaho Board of Health and Welfare
Minutes**

November 6 & 7, 2003

The Board of Health and Welfare convened at:

Pete T. Cenarrusa Building
450 W. State Street, 10th Floor CR
Boise, Idaho

CALL TO ORDER

Chairman Kenyon called the meeting to order at 8:10 am.

ROLL CALL

Janet Penfold, Secretary, called the roll.

Board Members Present:

Quane Kenyon, Chairman
Janet Penfold, Secretary
Bert Henriksen, Member
Dan Fuchs, Member
Dr. Richard Roberge, Member
Stephen Weeg, Member

Board Members Excused:

Dr. Jack Riggs

Ex-Officio Member Present:

Senator Skip Brandt

Ex-Officio Member Excused:

Representative Bill Sali

Department of Health and Welfare Staff Present:

Karl Kurtz, Director
Joe Brunson, Deputy Director
Joyce McRoberts, Deputy Director
David Butler, Deputy Director
Jeanne Goodenough, DAG
Martha Puett, Director's Office
Sherri Kovach, Administrative Procedures
Ken Deibert, FACS
Dick Schultz, Health
David Rogers, Medicaid
Debra Ransom, Medicaid
Jean Christensen, Medicaid
Elke Shaw-Tulloch, Health
Chris Hahn, Health
Mary Valentine, Health
Paul Leary, Medicaid
Tawni Newton, Health

Bev Barr, Rules Unit
Ken Mordan, Rules Unit
Frank Powell, Rules Unit

PUBLIC COMMENT PERIOD

Chairman Kenyon opened the floor for public comment for 30 minutes on any subject not specifically shown on the agenda. Since no one stepped forward to make any comments, the comment period was closed.

Chairman Kenyon welcomed Senator Brandt and thanked him for taking time to meet with the Board of Health & Welfare.

AGENDA ITEM #1: APPROVAL OF BOARD MINUTES

Chairman Kenyon presented the minutes of the September 25 & 26, 2003 meeting for adoption.

Motion: Dr. Roberge moved for approval of the minutes of the September 25 & 26, 2003 Board Meeting.

Second: Dan Fuchs

Vote: Motion carried. 5 Ayes 0 Nays 1 Absent (Riggs)

AGENDA ITEM #2: DIRECTOR'S REPORT

Karl Kurtz, Director, reported the Department has completed its first quarter budget review for 2004; the preliminary report indicates the Department is on target with its budget with some surplus in certain categories and deficits in others. The Department continues to see increases in various categories, which are reflective of insurance companies: increases in the use and cost of technology; increase in case loads - approximately 8 – 10%; hospital admissions have increased by 9 – 10% with an increased cost of 10% per admission; pharmaceuticals continue to be the number one driving cost of hospital admissions, in part due to new drugs used for treatments in areas such as cancers and psychotropics in the treatment of mental health illness. The Department continues to be challenged in the area of mental health and developmental disabilities in the Medicaid program; there is increased demand for services with limited resources. The issue around pharmaceuticals and the enhanced prior authorization program is moving along; the Department has had several meetings with the Pharmaceutical & Therapeutics Committee, which is made up of physicians, psychiatrists, pharmacists, and technical support staff.

The Department has submitted its 2005 budget to the Governor and has included some minor requests for enhanced programs around child welfare: foster care rate increase for foster parents, Medicaid for increased case loads and inflation, and the impact of the Access Card expansion of the CHIP programs. Funding for the payment of administering the Access Card program was not provided to the Department by the Legislature, thus a supplemental request will be made to the 2005 Legislature. The Advisory Committee which will address issues related to how much co-pay, premium sharing, and cost sharing, has yet to be appointed. The Department has submitted its recommendations of potential staff to serve on the Advisory Committee to the Joint Finance and Appropriations Committee and the Department is awaiting their final selection.

The new HIPAA rules and regulations went into effect October 16, 2003 and impacted all providers except pharmacies, which made the conversion in May of 2003. All providers are now required to use

national standardized codes for all their procedures; this is a big systems change, which required extensive education to approximately 15,000 Medicaid providers around the state. The transition has gone reasonably well with a few bumps; additional staff has been added to the Medicaid call centers for the next four to six weeks to address customer service concerns.

The service integration process (Any Door Initiative) continues to move along; the Department is on the verge of selecting the prototype site; which will provide the opportunity to test the integrated process for the client and evaluate how the Department supports the various services offered and integration teams in the field. Director Kurtz stated he anticipates the Department to be in position, at the first of the year, to have one office transformed into an integrated delivery service office, with a goal of a second office in the second quarter of next year, and in 2005 roll out statewide implementation. Staff is enthusiastic and excited for the opportunity to delivery service through an integrated approach and many positive responses have been received from staff and other organizations, i.e., Juvenile Judges, detention officers, probation officers. Case loads, the make up of the office, specialties in the office, poverty rates in the service area and the flexibility of individuals in the office area were taken into consideration in selecting the prototype site. The site has been selected and an announcement will be made the first of second week of November.

Department staff is doing a much better job of analyzing data collected in its various systems, and converting it to information which can be shared with its partners, other agencies and communities. Information such as: financial information related to Medicaid payments by client by area and provider by area, food stamps, WIC benefits, cash assistance (TAFI), assistance to the aged blind and disabled, etc. Data will be available in early December by county on a per capita basis; the Departments needs to improve its efforts in telling the story of how it disburses provider payments – not just a benefit to providers but a benefit to all people within the respective county. For the last two years, the Department made payments over and above direct service payments to hospitals - payments were made to governmental hospitals in the area of federal upper payments limit amounts (these payments are directed to the 22 hospitals in the state with the exception of Kootenai Memorial, Magic Valley, and Bannock Hospital). The Department will be working with the Idaho Hospital Association, which jointed-ventured the formula allocation, to develop some news releases in the counties and newspapers in the respective areas.

**AGENDA ITEM #3: INTRODUCTION AND CONFIRMATION OF NEWLY APPOINTED
DEPUTY DIRECTOR, MANAGEMENT SERVICES**

Director Kurtz introduced Dave Butler, newly appointed Deputy Director, Management Services. Mr. Butler spent the last 12 years at Albertson's corporate office in various capacities within the financial arena. Mr. Butler stated he is excited to be at Health & Welfare and working in state government.

Motion:	Dr. Roberge moved to confirm the appointment of Dave Butler as Deputy Director, Management Services.
Second:	Dan Fuchs
Vote:	Motion carried. 6 Ayes 0 Nays 1 Absent (Riggs)

AGENDA ITEM #4: ROLES AND RESPONSIBILITIES OF THE BOARD OF HEALTH & WELFARE

Joyce McRoberts reviewed the recently updated Board of Health and Welfare Manual and referred members to Section 2, Tab 6, which outlines the board authority, composition, regulatory authority, and board guidelines for effective action. Attention was also called to Section 3, Tab 7, which outlines the

Department's definition, creation, powers and duties of the director; board composition, officers, compensation, powers, subpoena, depositions, review, and rules as defined by Idaho Statute, Title 56, Chapter 10.

Ms. McRoberts stated the Board plays a significant role in their respective communities – being “eyes and ears” for the Department, and requested that as Board members are made aware of Department issues in their communities, that those issues be brought back to the Department for investigation and action as appropriate.

Senator Brandt reiterated the point made earlier by Mr. Kurtz of “telling the Department's story” and encouraged Board members to have a stronger voice in the community. Senator Brandt stated the Department is great at taking suggestions and in providing information and rationale for the management of its programs and services. Senator Brandt stated there are several issues coming before the Legislature which include the UMP/care management program – this has significant opposition by providers/advocacy groups; the enhanced prior authorization program - communities need to be knowledgeable about the Department's proactive approach and efforts in reducing cost for services offered to its clients. Also, Senator Stegner is working with counties to develop legislation to address mental health issues – this is another area of contention. Senator Brandt encouraged and challenged Board members to become more involved and educated on Department issues, be advocates and carry a strong voice in their respective communities – this provides a mutual benefit to all state citizens. Senator Brandt announced that the Senate Health and Welfare Committee members are meeting on December 4th and 5th for an informational session and invited Board members to attend.

Jeanne Goodenough gave an overview of Sections 10 – 16 of the Board manual and distributed an outline of the rulemaking process, which explained the cycle for proposed, temporary, and temporary/proposed rules.

AGENDA ITEM #5: DEVELOP PLAN OF COMMUNICATION WITH BOARD AND DHW

Joyce McRoberts reported she has been evaluating on how to best communicate with Board members and continue their involvement in Department strategies for some time. Ms. McRoberts explained that the Department is short-staffed and projects and processes move quickly. She has been challenged in keeping Board members up to speed on the multiple programs and evolving changes and activities, especially during the legislative season. A prime example is the Division of Medicaid staff who is juggling five major projects: HIPAA, care management, prior authorization, Access card and integrated services; this represents a huge time commitment to work on these project on top of their respective jobs. Currently, the request for food stamps is at the highest demand since the inception of the program and case loads have increased sharply; however, reductions in staff resources continue. Staff at Central Office and in the Regions is working hard and is having difficulty keeping up; Department staff has a high expectation of themselves and want to serve clients in the best possible manner.

Ms. McRoberts also stated frequent communication and dialogue is essential between both parties in order to effectively address issues/concerns, answer questions and carry back the Department's story, and questioned how much time the Board is willing to spend either collectively or individually in their communities, clubs, civic organizations, churches, etc.

It was the consensus of the Board to continue to meet on a quarterly basis and to commit to increased communications between members and DHW and vice versa. Ms. McRoberts will develop and continue to send information to the Board as a whole; she will identify the top seven to 10 key issues the Board should be aware of and route on a regular basis. Ms. McRoberts reiterated that this is a two way street and expects communications back to her on respective member's community activities.

AGENDA ITEM #6: BOARD DATES FOR 2004

The Board approved the following meeting dates for 2004:

- January / February (when DHW presents to JFAC)
- March 19, 2004
- May 21, 2004
- September 17, 2004
- November 4 & 5, 2004

A.JOURNED:

The Board meeting adjourned at 4:00 pm and will reconvene at 8:00 am on November 7, 2003.

FRIDAY, NOVEMBER 7, 2003

The meeting was called to order 8:05 am by Chairman Kenyon; Mr. Fuchs is excused until 10:00 am.

AGENDA ITEM #7: RULES GOVERNING EMERGENCY MEDICAL SERVICES
DOCKET NO. 16-0203-0401 (TEMPORARY)

Dick Schultz, Administrator, Division of Health, reported the purpose of the rules changes are to implement legislation that created a new certification level, Emergency Medical Technician – Intermediate (EMT – I) described in 56-1012, Idaho Code. This pre-hospital emergency medical provider has a select subset of paramedic level skills expected to raise the standard of care available through rural ambulance services and quick response units. Existing sections were revised to reflect the new local agency licensure requirements and new sections and definitions were added to ensure that the EMT-I position meets training and qualification standards.

Mr. Schultz also noted that Section 300.10, which requires ambulances to comply with all local ordinances and district requirements, is being deleted as the Department does not have the statutory authority to enforce.

Motion: Stephen Weeg moved that the Idaho Board of Health & Welfare adopt as temporary, the Rules Governing Emergency Medical Services, presented under Docket No. 16-0203-0401, effective April 1, 2004.

Second: Dr. Roberge

Vote: Motion carried. 5 Ayes 0 Nays 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #8: RULES GOVERNING CONSTRUCTION AND OPERATION OF PUBLIC SWIM POOLS IN IDAHO – DOCKET NO. 16-0214-0301 (PENDING)

Dick Schultz, Administrator, Division of Health, reported that when the Department of Environmental Quality broke off from Health and Welfare, the section of their rules moved with them leaving a skeleton set of rules. Therefore, the Department proposes to repeal Docket No. 16-0505-0301 and move the substantive section of the swimming pool rules into the existing pool rules, Docket No. 16-0214-0301.

Motion: Dr. Roberge moved that the Idaho Board of Health and Welfare adopt

as pending, the Rules Governing Construction of Public Swimming Pools, presented in the final proposal under Docket No. 16-0214-0301, with the rules becoming final and effective immediately upon the adjournment sine die upon prior review by the 2004 Legislature.

Second: Bert Henriksen

Vote: Motion carried. 5 Ayes 0 Nays 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #9: RULES GOVERNING FOOD SAFETY AND SANITATION STANDARDS
FOR FOOD ESTABLISHMENTS – DOCKET NO. 16-0219-0301
(REPEAL/PENDING)

Dick Schultz, Administrator, Division of Health, reported that this entire chapter of rules, IDAPA 16.02.19, Rules Governing Food Safety and Sanitation Standards for Food Establishments (UNICODE), is being repealed and rewritten under Docket No. 16-0219-0302. The current standards for the State of Idaho are being repealed to set Idaho standards that will be more consistent with other states' standards on food safety.

Motion: Bert Henriksen moved that the Idaho Board of Health and Welfare adopt as pending, the Rules Governing Food Safety and Sanitation Standards for Food Establishments, presented in the final proposal under Docket No. 16-0219-0301, with the rules becoming final and effective immediately upon the adjournment sine die upon prior review by the 2004 Legislature.

Discussion on Motion: Mr. Weeg requested to recuse himself from the vote.

Second: Janet Penfold

Vote: Motion carried. 4 Ayes 0 Nays 1 Abstention 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #10: RULES GOVERNING FOOD SAFETY AND SANITATION STANDARDS
FOR FOOD ESTABLISHMENTS – DOCKET NO. 16-0219-0302
(RE-WRITE/PENDING)

Dick Schultz, Administrator, Division of Health, reported the proposed rules are a result of the changes to the National Food Code, which is the basis for the food rules in all the states. Department staff has been working with the Idaho food industry over the past year to modify and align Idaho's food rules to the National Food Code rules. Mr. Schultz reported there was one recommendation received from a grocery chain story suggesting the Department allow access to the bulk dispensing of fish products, much the same as the bulk dispensing of crackers, nuts, candies, etc., commonly seen in large grocery store chains. The Department proposes bulk dispensing of fish products not be allowed in the interest of public safety and health, and without any recommendations to the contrary from the Food and Drug Administration.

Motion: Bert Henriksen moved that the Idaho Board of Health and Welfare adopt as pending, the Rules Governing Food Safety and Sanitation Standards for Food Establishments, presented in the final proposal under Docket No. 16-0219-0302, with the rules becoming final and effective immediately upon the adjournment sine die upon prior review by the 2004 Legislature.

Discussion on Motion: Mr. Weeg requested to recuse himself from the vote.

Second: Dr. Roberge

Vote: Motion carried. 4 Ayes 0 Nays 1 Abstention 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #11: RULES GOVERNING LICENSED RESIDENTIAL & ASSISTED LIVING FACILITIES IN IDAHO – DOCKET NO. 16-0322-0301 (PENDING)

David Rogers, Administrator, Division of Medicaid, reported the 2003 Legislature passed House Concurrent Resolution 17, which recommended changes be made in administrative rules that allow the return of unopened/unused medication from licensed residential or assisted living facilities. The rules are also being amended to align with the rules of the Idaho Board of Nursing and the rules for the Idaho Board of Pharmacy. Mr. Rogers noted that the industry estimates of a \$3 - \$4 million cost savings may be a little high; however, the Division of Medicaid will be closely monitoring and tracking actual savings.

Discussion ensued and questions entertained regarding opposition to the rule, actual implementation of the process and what incentive do pharmacists have to participate and support the rule change. Debra Ransom, Chief, Bureau of Facility Standards, stated concerns regarding implementation of this process and the overall practical approach to the program have been noted. The Residential Care Council and the Board and Care Council, as well as other stakeholders have been included in the discussions and negotiated rule making. Ms. Ransom noted that currently there is a system in place to allow for medication to be credited; however, there are some systems pieces that need to occur that allow the Department to track where the credit is coming back from. Those are some of the logistical pieces that the Department continues to work through with interested partners in making the needed provisions. Discussions continue in a couple of areas: who should have the incentive and what should the incentive look like. Paul Leary, Program Manager, Policy Program Development, reported a multi-disciplinary group, including long term pharmacists have met to discuss the process involved in the returning and repackaging of returned meds. The multi-disciplinary group, along with representatives of the residential/assisted living facilities will meet again the first part of December to continue discussions. Mr. Leary noted the work group along with the Pharmacy Association is reviewing the actual cost of doing business associated with returns.

Motion: Stephn Weeg moved that the Idaho Board of Health and Welfare adopt as pending, the Rules Governing Licensed Residential and Assisted Living Facilities, presented in the final proposal under Docket No. 16-0322-0301, with the rules becoming final and effective immediately upon the adjournment sine die upon prior review by the 2004 Legislature.

Second: Janet Penfold

Vote: Motion carried. 5 Ayes 0 Nays 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #12: RULES GOVERNING UNIFORM ASSESSMENTS FOR STATE-FUNDED CLIENTS – DOCKET NO. 16-0323-0301 (PENDING)

David Rogers, Administrator, Division of Medicaid, reported the rule change is being made to support the implementation of the Department's new prior authorization process found in a new chapter of rules,

IDAPA 16.03.13, Prior Authorization of Behavioral Health Services. The rule change identifies the standard adopted by the Department to assess individuals with a developmental disability for determination of eligibility and determination of a participant budget for authorization of services. Jean Christensen, Program Manager, Bureau of Care Management, reported the pilot began a year ago in Region II and staff has been working on the rules since that time. Idaho State University (ISU) has come on board as the lead agency for the independent assessment provider and they are in the process of hiring assessors and clinical supervisors to start implementing new rules. ISU has sent letters out to consumers whose plans will come due in March, advising that they are the agency that will be doing assessment for these services. A training session for assessors is scheduled the week of the 17th and they begin the assessment process November 24th for consumers whose plans come due March 2004.

Ms. Christensen noted that under Subsection 004.09, Department staff inadvertently deleted the following wording: “adults using Developmental Disability Agencies services and Targeted Service Coordinator Services,” and that it’s incorrect, and requested approval from the Board to change the language back to include adults using developmental disabilities agencies services or targeted service coordinator services. Staff was directed to re-write 004.09 and present back to the Board. The language was changed back to the original and approved by the Board.

Motion: Dr. Roberge moved that the Idaho Board of Health and Welfare adopt as pending, the Rules Governing Uniform Assessments for State-Funded Clients, presented in the final proposal under Docket No. 16-0323-0301, with the rules becoming final and effective immediately upon the adjournment sine die upon prior review by the 2004 Legislature.

Second: Stephen Weeg

Vote: Motion carried. 4 Ayes 0 Nays 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #13: RULES GOVERNING DEVELOPMENT DISABILITIES AGENCIES (DDA)–
DOCKET NO. 16-0411-0301 (PENDING)

David Rogers, Administrator, Division of Medicaid, reported these rule changes are being made to support the implementation of the Department’s new prior authorization process found in new chapter of rules, IDAPA 16.03.13, Prior Authorization of Behavioral Health Services. The rule changes establish the requirements for developmental disabilities agencies (DDA’s) to obtain prior authorization for DDA services for all adult participants. They also establish the requirement that DDA’s submit provider status reviews semiannually and annually.

Motion: Stephen Weeg moved that the Idaho Board of Health and Welfare adopt as pending, the Rules Governing Development Disabilities Agencies, presented in the final proposal and amending the temporary rules under Docket No. 16-0411-0301, with the rules becoming final and effective immediately upon the adjournment sine die upon prior review by the 2004 Legislature.

Second: Dr. Roberge

Vote: Motion carried. 4 Ayes 0 Nays 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #14: RULES GOVERNING RESIDENTIAL HABILITATION AGENCIES –
DOCKET NO. 16-0417-0301 (PENDING)

David Rogers, Administrator, Division of Medicaid, reported these rules support the implementation of the Department's new prior authorization process found in a new chapter of rules, IDAPA 16.03.13, Prior Authorization of Behavioral Health Services. The rule changes establish the requirement that access to residential habilitation agency services be prior authorized, and to submit periodic status reviews semiannually and annually.

Motion: Stephen Weeg moved that the Idaho Board of Health and Welfare adopt as pending, the Rules Governing Residential Habilitation Agencies, presented in the final proposal and amending the temporary rules under Docket No. 16-0417-0301, with the rules becoming final and effective immediately upon the adjournment sine die upon prior review by the 2004 Legislature.

Second: Dr. Roberge

Vote: Motion carried. 4 Ayes 0 Nays 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #15: RULES GOVERNING USE & DISCLOSURE OF DEPARTMENT RECORDS – DOCKET NO. 16-0501-0301 (REPEAL/PENDING)

Jeanne Goodenough, Division Chief, Office of the Attorney General, explained this Chapter of rules is being repealed and re-written to comply with the Health Insurance Portability and Accountability Act. Ms. Goodenough explained that the re-write of this chapter could be found in Docket No. 16-0501-0302 and is renamed "Use and Disclosure of Department Records."

Motion: Bert Henriksen moved that the Idaho Board of Health and Welfare adopt as pending, the rules for Protection and Disclosure of Department Records, presented in the final proposal under Docket No. 16-0501-0301, with the rules becoming final and effective immediately upon the adjournment sine die upon prior review by the 2004 Legislature.

Second: Dr. Roberge

Vote: Motion carried. 4 Ayes 0 Nays 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #16: RULES GOVERNING USE & DISCLOSURE OF DEPARTMENT RECORDS – DOCKET NO. 16-0501-0302 (RE-WRITE/PENDING)

Jeanne Goodenough, Division Chief, Office of the Attorney General, stated this Chapter of rules was re-written in order to comply with the Health Insurance Portability and Accountability Act (HIPAA). The rule has been revised for clarity and consistency, conforms to the needed changes within HIPAA and establishes clear guidelines for the use and disclosure of protected health information. The re-write grants certain rights to individuals relating to their health information and provides one simplified set of rules for the entire Department. Ms. Goodenough explained that changes and additions were made to the temporary rule based on feedback that was derived from the extended trainings that were provided for Department staff. During the time the temporary rule has been in effect, Department staff has been reviewing the application of this rule to determine if there were any needed changes and appropriate

changes have been implemented.

Motion: Bert Henriksen moved that the Idaho Board of Health and Welfare adopt as pending, rules for Protection and Disclosure of Department Records, presented in the final proposal under Docket No. 16-0501-0302, with the rules becoming final and effective immediately upon the adjournment sine die upon prior review by the 2004 Legislature.

Second: Janet Penfold

Vote: Motion carried. 4 Ayes 0 Nays 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #17: RULES GOVERNING FAMILY & CHILDREN SERVICES –
DOCKET NO. 16-0601-0401 (PENDING)

Ken Deibert, Administrator, Division of Family and Community Services, reported the 2003 Legislature passed an increase in the 2004 budget for foster care providers in the appropriations bill, thus the change to the table in Section 483 is being made to reflect that monetary increase. Mr. Deibert stated the authorized increase was approximately \$180,000 total and that funding for foster care from the federal government comes from IV-E Funding. Idaho currently receives 60% federal funds and 40% state general funds for foster care.

Discussion ensued and questions entertained regarding rejecting the amount of money appropriated and requesting additional funds as it was the consensus of members that not only is there a limited number of foster parents available or willing to provide care, they are not adequately compensated for opening up their homes and providing a safe, nurturing and caring environment to the large numbers of Idaho's children who are abused or neglected. Mr. Deibert stated that neither the Board nor the Department is in a position to reject the funding allocated by Legislature or reject changing the rule to reflect the funding; however, Board members do have the discretion to express concerns to the Governor and Legislature and request additional funding be included in the next budget cycle and in future years.

It was the consensus of the Board members to forward a letter to the Chairs of Joint Finance and Appropriations Committee, Governor Kempthorne, Senator Brandt, and Representative Sali expressing their support for additional funding for foster parents in fiscal year 2005, and increased funding for foster care in future years. (Letter is appended to the original minutes.)

Motion: Bert Henriksen moved that the Idaho Board of Health and Welfare adopt as temporary, rules Governing Family and Children's Services, as presented under Docket No. 16-0601-0401, effective July 1, 2003.

Second: Stephen Weeg

Vote: Motion carried. 4 Ayes 0 Nays 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #18: RULES GOVERNING REPORTABLE DISEASES – DOCKET NO.
16-0210-0401 (TEMPORARY)

Dick Schultz, Administrator, Division of Health, reported that both West Nile Virus and Severe Acute Respiratory Syndrome (SARS) may arrive in Idaho within the next year, yet neither of these diseases is

currently reportable under the current rules. This rule is being promulgated in order to have SARS on the list in case it surfaces during the coming flu season, and to have West Nile Virus on the list in case it makes an appearance in the spring of 2004. Definitions for SARS and West Nile Virus will be added to the rule and those sections pertinent to reporting these diseases will be revised to include the two new diseases.

Questions were raised regarding active SARS cases, isolation procedures, and how information regarding new reportable diseases is disseminated to physicians. Mr. Schultz reported that currently, there are no active SARS cases and there is a law in place to impose isolation/ quarantine procedures; however, to date, they have not had to enforce any type of quarantine. The Division of Health routes packets of information to any new physicians and/or established physicians on health issues relative to reportable diseases.

Motion: Dr. Roberge moved that the Idaho Board of Health and Welfare adopt as temporary, the Rules Governing Idaho Reportable Disease as presented under Docket No.16-0210-0401, effective December 1, 2003.

Second: Stephen Weeg

Vote: Motion carried. 4 Ayes 0 Nays 2 Absent
(Riggs; Fuchs until 10:00 am)

AGENDA ITEM #19: ADJOURNMENT:

Motion: Chairman Kenyon moved to adjourn the meeting at 10:30 am.

Vote: Motion carried. 4 Ayes 0 Nays 2 Absent
(Riggs; Fuchs until 10:00 am)

Respectfully signed and submitted by:

Quane Kenyon, Chairman, Health and Welfare Board

Janet F. Penfold, Secretary, Health and Welfare Board

Martha Puett, Executive Assistant and Recorder